

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

MICHAEL ROBERTS

v.

ALTAIR LINES S.A.  
(referred to in Complaint  
as M/V SHINANO REEFER *in personam*)

v.

ACTIVE CRANE RENTALS, INC.

v.

MURPHY MARINE SERVICES and  
MAGCO CRANE RENTALS

CIVIL ACTION NO. 05-454 -GMS

**JOINT STIPULATION TO EXTEND FACTUAL DISCOVERY AND OTHER  
DEADLINES DUE TO JOINDER OF MULTIPLE PARTIES**

All parties to the captioned lawsuit by and through their undersigned attorneys respectfully submit the following proposed Joint Stipulation to Extend Factual Discovery and Other Deadlines Due to the Joinder of Multiple for this Honorable Court's consideration. The parties jointly agree and stipulate to the following

1. Since the issuance of the original Scheduling Order in this matter on March 21, 2006 (D.I. 15), three additional parties have been added to this action, Active Crane Rentals, Inc., Murphy Marine Services, Inc, and Magco Crane.

2. On July 17, 2006, the last of the joined parties, Fourth Party Defendant Magco Crane, entered an appearance and answered the Fourth Party Complaint (D.I. 35).

3. The last pleading, an Answer to the Crossclaim of Magco Crane, was filed on July 19, 2006 (D.I. 37) and counsel have been admitted *pro hac vice* as recently as July 31, 2006.

4. Discovery in this matter is still at the very early stages due to the fact that it was not until very recently that all parties had entered appearances. Additionally, the taking of depositions was held off pending appearances by all parties to avoid having to depose parties and independent witnesses multiple times. The current deadline for factual discovery is October 2, 2006. Given the number of parties involved and the amount of discovery now required, the necessary discovery cannot be completed within the current schedule for the completion of factual discovery.

5. Recognizing this need to extend the discovery period, counsel for all parties have participated in multiple telephone conferences and have exchanged multiple emails in an effort to cooperate and agree to an extension of the current discovery deadlines that would allow the parties sufficient time to complete the anticipated discovery in this matter.

6. Subject to this Honorable Court's consideration and approval, Counsel for all parties have agreed to a ninety (90) day extension of the deadline for factual discovery with all other deadlines being similarly extended.

7. In these circumstances, all parties to the captioned lawsuit respectfully request this Honorable Court to approve the within Stipulation and issue an Amended Scheduling Order extending the deadline for the completion of factual discovery by ninety (90) days or until December 30, 2006 and extending all other deadlines for a similar period of time.

8. Counsel for all parties are available, if deemed necessary, at a time which is convenient to this Honorable Court to participate in a conference to further explain or discuss this joint request.

Respectfully submitted and STIPULATED by:

PETER E. HESS, ESQ.

/s/ Peter E. Hess  
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Dated : August 7, 2006

APPROVED BY THE COURT:

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J.